

# Notice of Allowability

Application No.

09/220,191

Examiner

Nga B. Nguyen

Applicant(s)

WALKER ET AL.

Art Unit

3692

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on April 5, 2007.
2. ☒ The allowed claim(s) is/are 1-38.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

1. This Office Action is the answer to the Amendment filed on April 5, 2007, which paper has been placed of record in the file.
2. Claims 1-38 are pending in this application.

### ***Allowable Subject Matter/Reasons for Allowance***

3. Claims 1 and 12 are allowed over the prior arts cited records.

The closets prior arts are:

1) Fusz et al. (US 7,133,835) discloses the method and system for enabling a buyer at a buyer site 38 to make an offer to buy in a selected geographic region or a special request to a specific seller at a seller site 40 via exchange system 26. Such operations are referred to as an offer to buy or a special seller request. Particularly, once a buyer accesses 352 system 26 at a buyer site 38, the buyer sign-on process is executed as illustrated in FIG. 6 as process 150. Through such sequence of process steps, buyer information may be reviewed and revised 352 from administration database 30A. The buyer may then enter and select a make, model, options and style of product which the buyer desires to purchase 354. The buyer then selects whether to make an "offer to buy" or a "request" 358. If the buyer desires to make an offer to buy, then the buyer enters and validates the specific product configuration related to the offer 360. Once such configuration information is entered, the buyer then enters the price 362 and selected geographic regions 364. Exchange system 26 then receives this

information and sends an offers message to sellers within the selected geographic region 366 and updates offers to buy/special request database 34B.

2) Giovannoli (US 5,758,328) discloses the method and system in which communication between buyers, sellers and the network computer(s) is completed using the Internet. A World wide Web home page is set up to provide access to the network by Internet members. A potential user accesses the Internet using any standard Web browser and becomes a quotation network user by completing a registration application providing necessary data about itself. Once registered, a member can access the forms necessary for preparing a request for quotation ("RFQ"), which will be described in greater detail hereafter. The RFQ is subsequently downloaded to a quotation system central office computer through a file transfer protocol (FTP) connection to the Internet Web server. The RFQ is then processed to select vendors who are capable of quoting on the RFQ and who meet any other conditions set by the requesting buyer (e.g. language, currency, or vendor location). In addition, vendors may "deselect" themselves from quoting on certain types of RFQs by registering their preferences with the quotation system to avoid receiving RFQs of certain types. The buyer and vendor filters may represent in their simplest form defined classes of suppliers and/or buyers and may extend to delineate conditions of sale and/or purchase. Limitations or conditions included in the RFQ and/or in the response are defined for purposes of the present application as filter information or simply "filters". Filtering performed by a quotation system computer may simply involve limiting the network members to whom the RFQ is given and/or to whom responses are given or

may be a more complex selection process. Part of the process of selecting vendors involves quotation system business arrangements and other considerations. An example of this would be providing vendors varying categories of service which may require prioritizing the vendors according to a formula. In this way, by the category of service they choose, vendors may determine the percentage of RFQs they receive from a given number received by the quotation system.

Therefore, it is clear from the description of Fusz et al's and Giovannoli's inventions that the prior arts do not considered the possibility of: receiving a payment identifier specifying a financial account, the payment identifier being associated with the offer; making the offer available to one seller after receiving the payment identifier; receiving an acceptance from the one seller, the acceptance being responsive to the offer; and providing a payment to the one seller by using the payment identifier upon receiving the acceptance, as included in claim 1, and receiving a payment identifier specifying a financial account, the payment identifier being associated with the offer; determining whether to accept the offer; and receiving payment by using the payment identifier upon determining to accept the offer, as included in claim 12.

4. Claims 2-11 and 13-38 are allowed because they are dependent claims of the allowable independents 1 and 12 above, in that order.

### **Conclusion**

5. Claims 1-38 are allowed.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
C/o Technology Center 3600  
Washington, DC 20231

Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox Building, 501 Dulany Street, Alexandria, VA, First Floor (Receptionist).

Application/Control Number: 09/220,191

Page 6

Art Unit: 3692

A handwritten signature in black ink, appearing to read 'Nga Nguyen', written in a cursive style.

NGA NGUYEN  
PRIMARY EXAMINER

June 6, 2007